p5

52. (Amended) An isolated ANT1 adenine nucleotide translocator fusion protein comprising a first polypeptide that is an animal ANT1 adenine translocator polypeptide fused to at least one additional polypeptide sequence.

AU

56. (Amended) An isolated recombinant animal ANT1 adenine nucleotide translocator fusion protein comprising an ANT1 adenine translocator polypeptide fused to at least one additional polypeptide sequence cleavable by a protease, said ANT1 adenine nucleotide translocator polypeptide being separable from the fusion protein by cleavage with the protease.

REMARKS

Claims 1-112 are pending in this application. In the present Amendment, applicants respectfully request that claims 1-41, 45-46 and 58-112 be withdrawn without prejudice, such that claims 42-44 and 47-57 are currently pending. The present application is a divisional of U.S. Serial No. 09/393,441, filed September 8, 1999 ("the parent application"), which is a continuation-in-part of U.S. Serial No. 09/185,904, filed November 3, 1998.

Attached hereto is a marked version of the changes made to the specification by the present amendment. The attached page is captioned <u>"Version with markings to show changes made."</u>

Consideration of the present claims is now requested.

Respectfully submitted,

Christen M. Anderson, et al.

Seed Intellectual Property Law Group PLLC

Stephen J. Rosenman, Ph.D. Registration No. 43,058

SJR:kw

701 Fifth Avenue, Suite 6300 Seattle, Washington 98104-7092

Phone: (206) 622-4900 Fax: (206) 682-6031

U:\KarenWill\SJR\MitoKor II\1895.doc

Version with markings to show changes made

In the specification:

The paragraph beginning at page 1, line 3 has been amended as follows:

CROSS REFERENCES TO RELATED APPLICATIONS

This application is a divisional of pending U.S. Patent Application No. 09/393,441, filed September 8, 1999, which application is a continuation-in-part of U.S. Patent Application No. 09/185,904, filed November 3, 1998, and which applications are incorporated herein by reference in their entirety.

In the claims:

- 42. (Amended) An [ANT] <u>ANT1 adenine nucleotide translocator</u> polypeptide produced by [the] <u>a</u> method [of any one of claims 39-41] <u>comprising culturing a host cell comprising a recombinant expression construct comprising at least one regulated promoter operably linked to a nucleic acid encoding the ANT1 adenine nucleotide translocator polypeptide.</u>
- 43. (Amended) An isolated human ANT1 adenine nucleotide translocator polypeptide.
- 44. (Amended) The isolated polypeptide of claim 43 wherein the human ANT1 adenine nucleotide translocator polypeptide is recombinant ANT1 or a variant or fragment thereof.
- 47. (Amended) An isolated human <u>ANT1</u> adenine nucleotide translocator fusion protein comprising an <u>ANT1</u> adenine translocator polypeptide fused to at least one additional polypeptide sequence.
- 51. (Amended) An isolated human ANT1 adenine nucleotide translocator fusion protein comprising an ANT1 adenine translocator polypeptide fused to at least one

additional polypeptide sequence cleavable by a protease, said <u>ANT1</u> adenine nucleotide translocator polypeptide being separable from the fusion protein by cleavage with the protease.

- 52. (Amended) An isolated <u>ANT1</u> adenine nucleotide translocator fusion protein comprising a first polypeptide that is an animal <u>ANT1</u> adenine translocator polypeptide fused to at least one additional polypeptide sequence.
- 56. (Amended) An isolated recombinant animal <u>ANT1</u> adenine nucleotide translocator fusion protein comprising an <u>ANT1</u> adenine translocator polypeptide fused to at least one additional polypeptide sequence cleavable by a protease, said <u>ANT1</u> adenine nucleotide translocator polypeptide being separable from the fusion protein by cleavage with the protease.